

RECEIVED
CENTRAL FAX CENTER

APR 27 2006

PROSKAUER ROSE LLP

1001 Pennsylvania Avenue, NW
Suite 400 South
Washington DC 20004-2533
Telephone 202.416.6800
Fax 202.416.6899

NEW YORK
LOS ANGELES
BOSTON
BOCA RATON
NEWARK
NEW ORLEANS
PARIS

Date April 27 2006 Client-Matter 99999-070
Total Pages (Including Cover) 17

Fax Transmittal

From John P. Isacson

Sender's Voice Number 202.416.5812

Sender's Room Number DC

Sender's Email Address jisacson@proskauer.com

Main Fax Number 202.416.6899

To: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Message

Re: U.S. Application No. 10/542,404 (MAYR et al.)

The following correspondence is being facsimile transmitted to the United States Patent and Trademark Office on April 27, 2006.

- (1) Certificate of Transmission (1 page)
- (2) Change of Correspondence Address (1 page)
- (3) Copy of the Fax Confirmation of the PTO filing on 3/20/06 (1 page)
- (4) Copy of the Certificate of Transmission filed on 3/20/06 (1 page)
- (5) Copy of the Transmittal Letter filed on 3/20/06 (1 page)
- (6) Copy of the PTO-stamped receipt card for the filing on 10/25/06 (1 page)
- (7) Copy of the Transmittal Letter filed on 10/25/05 (2 pages)
- (8) Copy of the English translation of Intl. App. No. PCT/AT2003/00381 filed on 10/25/05 (7 pages)
- (9) Copy of the Notification of Missing Requirements dated 2/27/06 (2 pages)

Confidentiality Note: This message is confidential and intended only for the use of the addressee(s) named above. It may contain legally privileged material. Dissemination, distribution or copying of this message, other than by such addressee(s), is strictly prohibited. If you have received this message in error, please immediately notify us by telephone and return the original to us at the address above. We will reimburse you for the cost of the telephone call and postage. Thank you.

RECEIVED
CENTRAL FAX CENTER

APR 27 2006

PTO/SB/97 (09-04)

Approved for use through 07/31/06. OMB 0661-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

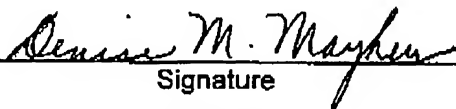
Under the Paperwork Reduction Action of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

Re: U.S. Application No. 10/542,404 (MAYR et al.)

I hereby certify that this correspondence is being facsimile transmitted to the Central Fax Number at the United States Patent and Trademark Office at 571-273-8300 on April 27, 2006.

- (1) Change of Correspondence Address (1 page)
- (2) Copy of the Fax Confirmation of the PTO filing on 3/20/06 (1 page)
- (3) Copy of the Certificate of Transmission filed on 3/20/06 (1 page)
- (4) Copy of the Transmittal Letter filed on 3/20/06 (1 page)
- (5) Copy of the PTO-stamped receipt card for the filing on 10/25/06 (1 page)
- (6) Copy of the Transmittal Letter filed on 10/25/05 (2 pages)
- (7) Copy of the English translation of Intl. App. No. PCT/AT2003/00381 filed on 10/25/05 (7 pages)
- (8) Copy of the Notification of Missing Requirements dated 2/27/06 (2 pages)


Signature

Denise M. Mayhew

Typed or printed name of person signing certificate

03/20/2006 16:54 FAX 202 912 2020

HELLER EHRMAN

001

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 2053
CONNECTION TEL #99999#4121#15712738300#
CONNECTION ID
ST. TIME 03/20 16:49
USAGE T 04'51
PGS. SENT 14
RESULT OK



PTO/S&A7 (08-03)
Approved for use through 07/31/2006, OMB 0851-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 C.F.R. 1.8

Re: U.S. Serial No. 10/642,404 (MAYR et al.)
IMPLANT FOR DRAINING CHAMBER WATER FROM THE FRONT EYE CHAMBER
INTO THE EPISCLERAL VEINS
Filing Date: July 15, 2005
Confirmation No.: 2964
Examiner: Unassigned
Group Art Unit: Unassigned
Our Reference: 37966-0074

I hereby certify that the following correspondence is being facsimile transmitted to the Central
Fax Number at the United States Patent & Trademark Office at 571-273-8300 on March 20,
2006:

- (1) Transmittal Letter (1 page)
- (2) Copy of Transmittal Letter Concerning A Filing Under 36 CFR 5371 (2 pages)
- (3) Copy of English Translation of Intl. App. No. PCT/AT2003/000381
- (4) Copy of PTO-Stamped Receipt Card (1 page)


Signature

Daniase M. Mayhew

PTO/SB/07 (08-03)

Approved for use through 07/31/2008. OMB 0861-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 C.F.R. 1.8

Re: U.S. Serial No. 10/542,404 (MAYR et al.)
IMPLANT FOR DRAINING CHAMBER WATER FROM THE FRONT EYE CHAMBER
INTO THE EPISCLERAL VEINS
Filing Date: July 15, 2005
Confirmation No.: 2964
Examiner: Unassigned
Group Art Unit: Unassigned
Our Reference: 37966-0074

I hereby certify that the following correspondence is being facsimile transmitted to the Central
Fax Number at the United States Patent & Trademark Office at 571-273-8300 on March 20,
2006:

- (1) Transmittal Letter (1 page)
- (2) Copy of Transmittal Letter Concerning A Filing Under 35 CFR §371 (2 pages)
- (3) Copy of English Translation of Intl. App. No. PCT/AT2003/000381
- (4) Copy of PTO-Stamped Receipt Card (1 page)



Signature

Denise M. Mayhew
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

RECEIVED
CENTRAL FAX CENTER

APR 27 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	Winfried MAYR et al.	Attorney Docket No.:	37966-0074
Appl. No.:	10/542,404	Confirmation No.:	2964
Filing Date:	July 15, 2005	Examiner:	Unassigned
Title:	IMPLANT FOR DRAINING CHAMBER WATER FROM THE FRONT EYE CHAMBER INTO THE EPISCLERAL VEINS		
		Group Art Unit:	Unassigned

TRANSMITTAL LETTER

United States Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

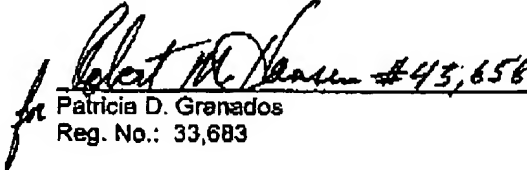
Applicants believe that the attached Notification of Missing Requirements mailed on February 27, 2006 was received in error. Applicants submit herewith a copy of the following documents filed on October 25, 2005:

- (1) Transmittal Letter
- (2) English Translation of Intl. App. No. PCT/AT2003/000381
- (3) Copy of the PTO-Stamped Receipt Card

Respectfully submitted,

March 20, 2006
Date

HELLER EHRMAN LLP
1717 Rhode Island Avenue, N.W.
Washington, D.C. 20036
Telephone: (202) 912-2000
Facsimile: (202) 912-2020
Customer No. 28633


Patricia D. Granados
Reg. No.: 33,683

Title: IMPLANT FOR DRAINING CHAMBER WATER FROM THE FRONT EYE CHAMBER INTO THE EPISCLERAL VEINS

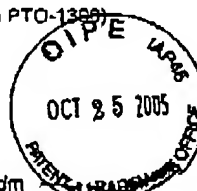
Inventor(s): Winfried MAYR et al.

Docket No.: 37968-0074

App. No.: 10/542,404

Filing Date: July 15, 2005

- Transmittal Letter Concerning A Filing Under 35 CFR §371 (Form PTO-1389)
- Preliminary Amendment
- Declaration and Power of Attorney
- English Translation of Intl. App. No. PCT/AT2003/000381
- Check in the amount of \$195.00 (Check No. 095706)
- File In Mail Room/ATTN: Mail Stop Missing Parts



Date Due: N/A
Date Filed: 10/25/05

Return to: JPVdm
Inspected By: JVI

Commissioner for Patents. Please acknowledge receipt of the above-identified documents by applying the U.S. Patent and Trademark Office receipt stamp hereto and mailing this card.

Respectfully,
HELLER EHRMAN LLP

RECEIVED

BEST AVAILABLE COPY

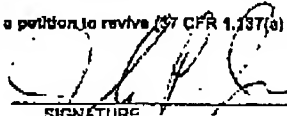
FTO-1390 (Rev. 02-2005)

Approved for use through 3/31/2007. OMB 0851-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 37966-0074
INTERNATIONAL APPLICATION NO. PCT/AT03/000381		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/542,404
INTERNATIONAL FILING DATE December 23, 2003		PRIORITY DATE CLAIMED January 23, 2003
TITLE OF INVENTION Implant For Draining Chamber Water From The Front Eye Chamber Into The Episcleral Veins		
APPLICANT(S) FOR DO/EO/US Winfried MAYR; Clemens VASS; Ewald UNGER		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;">d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Declaration and Power of Attorney</p>		

PTO-1390 (Rev. 02-2005)
Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/542,404		PCT/AT03/000381		37966-0074	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee..... \$300				\$	
22. <input type="checkbox"/> Examination fee If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$	
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$	
TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	9 - 20 =	0	x \$50	\$	
Independent claims	1 - 3 =	0	x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$380	\$
TOTAL OF ABOVE CALCULATIONS =				\$ 130.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$ 65.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+ \$ 130.00	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.26, 3.31). \$40.00 per property				+ \$	
TOTAL FEES ENCLOSED =				\$ 195.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 195.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>08-1641</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Customer No. 26633					
Date: October 25, 2005					
 SIGNATURE John P. Isacson NAME 33,715 REGISTRATION NUMBER					

RECEIVED
CENTRAL FAX CENTER Page 1 of 2

APR 27 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22311-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/542,404	Winfried Mayr	37966-0074

INTERNATIONAL APPLICATION NO.

PCT/AT03/00381

I.A. FILING DATE

12/23/2003

PRIORITY DATE

01/23/2003

26633
HELLER EHRMAN WHITE & MCAULIFFE LLP
1717 RHODE ISLAND AVE, NW
WASHINGTON, DC 20038-3001

CONFIRMATION NO. 2964

371 FORMALITIES LETTER



OC00000018138143

Date Mailed: 02/27/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/15/2005
- Copy of the International Search Report filed on 07/15/2005
- Preliminary Amendments filed on 07/15/2005
- Oath or Declaration filed on 07/15/2005
- U.S. Basic National Fees filed on 07/15/2005
- Priority Documents filed on 07/15/2005
- Power of Attorney filed on 07/15/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

Page 2 of 2

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/542,404	PCT/AT03/00381	37966-0074

FORM PCT/DO/EO/805 (371 Formalities Notice)